

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 0-98)		ATTORNEY'S DOCKET NUMBER 01192/HG
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/806650
INTERNATIONAL APPLICATION NO. PCT/JP99/05448	INTERNATIONAL FILING DATE 4 October 1999	PRIORITY DATE CLAIMED 5 October 1998
TITLE OF INVENTION ANTIBACTERIAL AGENTS AND PROCESS FOR PRODUCING THE SAME		
APPLICANT(S) FOR DO/EO/US Masato NAGAOKA; Hideyuki SHIBATA; Itsuko TAKAGI; and Shusuke HASHTMOTO		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11. to 16. below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: Copies of: <ul style="list-style-type: none"> (i) WO 00/20009, the 18-month publication of PCT/JP99/05448 (ii) REQUEST PCT/RO/101 (PCT EASY Form) (iii) NOTICE PCT/IB/308 (iv) INFORMATION PCT/IB/332 (v) Int. Prel. Exam. Report PCT/IPEA/416 & 409 (vi) Drawings (Figs. 1 & 2) for the Examiner's convenience </p>		
ASSIGNMENT INFORMATION FOR RECORDATION:		
KABUSHIKI KAISHA YAKULT HONSHA 1-19, Higashishinbashi 1-chome, Minato-ku, Tokyo, 105-0021, Japan		

Express Mail Mailing Label No.:

EL 759 975 987 US

Date of Deposit:

April 2, 2001

I hereby certify that this paper and any papers identified herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231



Lori Valdes

17. The following fees are eliminated:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Search Report has been prepared by the EPO or JPO

JC08 Rec'd PCT/PTO \$860.00

CALCULATIONS PTO USE ONLY

02 APR 2001

International preliminary examination fee paid to USPTO (37 CFR 1.482)

\$690.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))

\$750.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO

\$1,000.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)

\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	7 - 20 =	0	\$ 18.00	\$ —
Independent claims	1 - 3 =	1	\$ 80.00	\$ —
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			\$ 270.00	\$ —

TOTAL OF ABOVE CALCULATIONS =

\$ 860.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL = \$ 860.00

Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 860.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$ 40.00

TOTAL FEES ENCLOSED =

\$ 900.00

Amount to be: refunded	\$
charged	\$

a. A check in the amount of \$ 900.00 to cover the above fees is enclosed.b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1378. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.
767 Third Avenue - 25th Floor
New York, NY 10017-2023Tel. No. (212) 319-4900
Fax No. (212) 319-510101933
PATENT TRADEMARK OFFICE

 SIGNATURE
Herbert Goodman

NAME

17,081

REGISTRATION NUMBER

Date: April 2, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Application No. :****U.S. National Serial No. :****PCT International Application No. : PCT/JP99/05448****VERIFICATION OF A TRANSLATION****I, the undersigned translator, hereby declare that :****My name and post office address are as stated below;**

That I am knowledgeable in Japanese language in which the below identified international application was filed, and that I believe the English translation of the international application No. PCT/JP99/05448 is a true and complete translation of the above identified international application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 26th day of March, 2001, at Tokyo, Japan

Full name of the translator :

Gen OGAWA**Post Office Address :**

**SANWA INTERNATIONAL PATENT OFFICE,
Syuwa No. 2 Tranomon Bldg.,
21-19, Toranomon 1-chome, Minato-ku, Tokyo,
105-0001 JAPAN**